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And Christine King

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

JOEL KRIEGER, Individually and on Behalf  
of All Others Similarly Situated,

Plaintiff,

vs.

ATHEROS COMMUNICATIONS, INC.,  
DR. WILLY C. SHIH, DR. TERESA H.  
MENG, DR. CRAIG H. BARRATT,  
ANDREW S. RAPPAPORT, DAN A.  
ARTUSI, CHARLES E. HARRIS,  
MARSHALL L. MOHR, CHRISTINE  
KING, QUALCOMM INCORPORATED,  
AND T MERGER SUB, INC.

Defendants.

No. 5:11-CV-00640-LHK(HRL)

**[PROPOSED] ORDER GRANTING  
THE ATHEROS DEFENDANTS'  
MOTION TO DISMISS FIRST  
AMENDED CLASS ACTION  
COMPLAINT**

Judge: Hon. Lucy H. Koh

Hearing Date: May 31, 2012

Hearing Time: 1:30 p.m.

Location: Courtroom 4, 5<sup>th</sup> Floor

Date Action Filed: February 10, 2011

1 The Court having considered all papers filed in support of and in opposition to the  
2 Atheros Defendants' Motion to Dismiss the First Amended Class Action Complaint, and  
3 good cause appearing, IT IS HEREBY ORDERED that the Motion is GRANTED as set  
4 forth below:

5 The First Cause of Action for violations of Section 14(a) of the Exchange Act  
6 against Atheros and the Individual Defendants is hereby dismissed with prejudice;

7 The Second Cause of Action for violations of Section 20(a) of the Exchange Act  
8 against the Individual Defendants is hereby dismissed with prejudice; and

9 The Third Cause of Action for Equitable Assessment of Attorneys' Fees and  
10 Expenses against all Defendants is hereby dismissed with prejudice.

11  
12 **IT IS SO ORDERED.**

13 DATED: \_\_\_\_\_, 2012

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16 Hon. Lucy H. Koh  
17 U.S. District Court Judge  
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